

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ARLENE DELGADO,

Plaintiff,

Civil Action No.:
19-cv-11764 (AT)

-against-

DONALD J. TRUMP FOR PRESIDENT, INC.,
TRUMP FOR AMERICA, INC.,
SEAN SPICER, individually,
REINCE PRIEBUS, individually,
STEPHEN BANNON, individually,

**DECLARATION OF
PATRICK MCPARTLAND**

Defendants.
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I, **PATRICK MCPARTLAND**, declare as follows:

1. I am a partner at LaRocca Hornik Rosen & Greenberg LLP, attorneys for defendants Donald J. Trump for President, Inc. (the “Campaign”), Trump for America, Inc. (the “Transition Team”), Sean Spicer, and Reince Priebus (collectively, “Defendants”), and am personally familiar with the facts and circumstances set forth herein.

2. I submit this declaration in support of: (i) the Campaign’s motion, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure and 9 U.S.C. § 1 *et seq.*, to compel arbitration of two of plaintiff’s claims, *to wit*, breach of contract and promissory estoppel; and (ii) Defendants’ motion, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss with prejudice plaintiff’s “failure to hire” claims under the New York State Human Rights Law and New York City Human Rights Law, and plaintiff’s common-law claim for “tortious interference with prospective business relations.” The instant motion does not pertain to plaintiff’s remaining discrimination and retaliation claims arising under the NYSHRL and NYCHRL, which will be litigated in this Court.

3. Before plaintiff filed this lawsuit, the Campaign formally demanded that plaintiff arbitrate any anticipated claims regarding the parties' purported settlement—such as her instant claims for breach of contract and promissory estoppel. She refused to do so.

4. Attached as ***Exhibit A*** is a true and correct copy of plaintiff's Complaint.

5. Attached as ***Exhibit B*** is a true and correct copy of the parties' stipulation regarding the relevant portions of certain agreements and documents that are referenced in the accompanying memorandum of law.

6. Attached as ***Exhibit C*** is a true and correct copy of Rule 7 of the American Arbitration Association's Commercial Rules of Arbitration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 22nd day of April, 2020, in New York, New York.

/s/ Patrick McPartland

Patrick McPartland